

PSJ9 Exh 22

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION

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5 IN RE: NATIONAL : MDL NO. 2804
6 PRESCRIPTION OPIATE :
7 LITIGATION :

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9 : CASE NO.
10 THIS DOCUMENT : 1:17-MD-2804
11 RELATES TO ALL CASES:
12 : Hon. Dan A.
13 : Polster

14 - - -

15 Thursday February 7, 2019

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17 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
18 CONFIDENTIALITY REVIEW

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20 Videotaped deposition of AL
21 PAONESSA, taken pursuant to notice, was
22 held at Buffalo Marriott Harbor Center,
23 95 Main Street, Buffalo, New York 14203,
24 beginning at 10:05 a.m., on the above date,
25 before Amanda Dee Maslynsky-Miller, a
26 Certified Realtime Reporter.

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1 guideline that you should probably not
2 sell more than 5,000 tablets at any time,
3 unless there was a reason for it.

4 A. I don't recall the exact
5 time that that conversation happened, but
6 you're in the right time frame. It was
7 somewhere in there.

8 We spoke with them a lot.
9 The DEA -- the local DEA was literally
10 across the street from the Anda office.
11 We communicated all the time, a lot.

12 But I don't remember that
13 exact conversation. But at that point,
14 it was 5,000 is what they discussed it
15 would be, a rule of thumb for us to look
16 at.

17 Q. And you took that rule of
18 thumb very seriously, didn't you?

19 A. Yes.

20 Q. And you applied that to your
21 practice, in terms of sales; isn't that
22 right?

23 A. Yes.

24 Q. And the reason that you

1 applied it to your practice, in terms of
2 sales, was because you understood that
3 there was -- there appeared to be a
4 problem regarding the diversion of
5 opioids, right?

6 A. Yes.

7 Q. And at that time, was that a
8 concern of yours, to take steps to avoid
9 the diversion of opioids?

10 A. Yes.

11 Q. Now, you mentioned that if
12 some customer wanted more than 5,000,
13 that, then, you would investigate, true?

14 A. Yes.

15 Q. And what was the nature of
16 that investigation?

17 A. If we are talking about the
18 2006, '07 time frame, then they would
19 have a questionnaire. We understand who
20 they sold to. We would look at exactly
21 what we sold to them, too, ourselves, and
22 look at what their mix was.

23 Then we would try to also
24 get a dispensing record from them of what